

**M I N U T E S**  
**SANDY CITY COUNCIL MEETING**

Sandy City Hall - Council Chamber Room #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**JANUARY 10, 2006**

Meeting was commenced at 7:00 p.m.

**PRESENT:**

**Council Members:** Chairman Steve Fairbanks, Vice Chairman Linda Martinez Saville, Bryant Anderson,

Scott Cowdell, Chris McCandless, Stephen Smith, and Dennis Tenney

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Police Chief Stephen Chapman; Parks & Recreation Director Nancy Shay; Administrative Services Director Art Hunter; Deputy Director Administrative Services Scott Bond; Former City Councilman Michael Edmonds; Council Office Director Phil Glenn; Council Office Executive Secretary Pam Lehman

**1. OPENING REMARKS/PLEDGE/PRAYER:**

The opening prayer was offered by **Boy Scout Laren Mayes** of Troop #956, and the **Police Explores'** conducted the flag ceremony.

**2. SPECIAL PRESENTATION: DUFF ASTIN - ALARM COORDINATOR - POLICE**

**Ron Walters**, along with **Bill Cooper**, from Security Industry Alarm Coalition [SIAC], recognized Duff Astin of the Sandy City Police Department with the "Excellence in Dispatch Reduction Award". The award is given to those police agencies and individuals that demonstrate a commitment to the citizens of their communities by working to significantly reduce false dispatches. Recognition is also given for maintaining response by trained, sworn law enforcement officers.

Mr. Astin helped Sandy City achieve one of the lowest dispatch rates in the country - among the three best in the United States. Sandy City's dispatch rate is .30 meaning, on average, there is one dispatch per alarm system approximately every three years.

Mr. Walters noted that Mr. Astin is a true Ambassador for the Sandy City Police, as he works with other agencies across the U.S. by openly sharing his knowledge and experience. He is recognized by his peers throughout law enforcement as someone they can call upon for help, knowing he will always deliver. A bouquet of roses was presented to Mr. Astin's wife Ann.

**3. CITIZEN(S) COMMENTS:**

- a. Frank Christiansen**, 8817 Shady Meadow Drive, expressed appreciation to the City Council and Mayor for their service and efforts in the operation of the City. He asked the Council and Administration to consider reducing the utility tax rates and charging a lower rate than those allowed by the State Legislature.

Since there were no further comments, Chairman Fairbanks closed Citizen Comments.

**PUBLIC HEARING(S):**

- 4. Open Sandy City Budget**

Public Hearing to open the Sandy City Budget to increase the total appropriations in the General Fund, Special Revenue Funds, Trust Funds, Debt Service Funds, Capital Projects Fund and Fee Schedule for Fiscal Year 2005-2006.

**DISCUSSION: Administrative Services Director Art Hunter** outlined several funds transfers proposed for adoption this evening, noting that the numbers for the bond premium on Resolution # 06-02 C should read \$90,798 instead of \$90,978. He asked the Council to include that change in the motion upon adoption of the Resolution. Mr. Hunter reported that the dollar amount is smaller due to the savings from the refinancing of the bond.

**Chairman Fairbanks opened the Public Hearing. Since there were no comments, the public hearing was closed.**

**Scott Cowdell** asked Mr. Hunter why the range for the sterilization fee for animals was so broad, being \$75.00 at the top end and \$20.00 at the low end, and why the Administration made the determination to charge \$65.00 for the fee.

**Art Hunter** reported that the range of what could be charged for the sterilization procedures was from \$20.00 to \$75.00. Mr. Hunter noted that this fee has been charged at \$65.00 for quite some time. The resolution was prepared for clarification purposes.

**Chris McCandless** asked Mr. Hunter what the authorized tax rate was from the Internal Revenue Service.

**Mr. Hunter** reported that the tax rate was set as of September 1<sup>st</sup> at 44.5 cents.

**VOTE:**           **\*See Agenda items #8-16**

**COUNCIL ITEMS:**

5.     **Code Amendment: Amend Accessory Buildings & Uses & Zoning for Animals**  
      **Ordinance #06- 01** - amending Title 15, Land Development Code, Revised Ordinance of Sandy City, by amending Sections 15-05-04 [F] , "Accessory Buildings and Uses," and Section 15-05-04[G], "Zoning for Animals".

**MOTION:**           **Dennis Tenney** made the motion to adopt Ordinance #06-01, amending Title 15, Land Development Code, Revised Ordinance of Sandy City, by amending Sections 15-05-04 [F] , "Accessory Buildings and Uses," and Section 15-05-04[G], "Zoning for Animals".

**SECOND:**           **Bryant Anderson**

**VOTE:**           **Tenney- Yes, Anderson - Yes, Smith - Yes, McCandless - Yes, Saville- Yes, Cowdell- Yes, Fairbanks- Yes,**

**MOTION PASSED**  
**7 in favor**

6.     **Regulation of Half-Pipes in Residential Districts**  
      **Ordinance #06-3** - amending Title 15 of the Land Development Code by amending Section 15-13-19, "Regulation of Half-Pipes in Residential District", and Section 15-05-02(B), "Permitted Land Use Matrix".

**1<sup>st</sup> Motion:**       **Dennis Tenney** made the motion to adopt Ordinance #06-3, amending Title 15 of the Land Development Code by amending Section 15-13-19, "Regulation of Half - Pipes in

Residential District", and Section 15-05-02(B), "Permitted Land Use Matrix".  
**Second:** **Linda Saville**  
**Vote:** **Tenney-Yes, Saville- Yes, Smith - Yes, McCandless- Yes, Anderson- Yes,**  
**Cowdell- Yes, Fairbanks - Yes.**

**Motion Approved**  
**7 in favor**

**\*\* After the vote had been taken, Mr. McCandless requested that Ordinance #06-3 - Regulation of Half-Pipes in Residential Districts be re-opened for further discussion. \*\***

**Chairman Fairbanks turned the time over to Mr. McCandless to explain his request.**

**DISCUSSION:** **Chris McCandless** explained that his neighbor, who is a professional skateboarder , expressed concerns to him that this ordinance was somewhat discriminatory in nature to other similar uses such as backyard sport courts, tennis courts, and swimming pools, especially in relationship to the hours of operation and lighting requirements. Mr. McCandless requested that the ordinance be re-considered in order to amend the hours of operation of half-pipes from 8:00 a.m to 10:00 p.m. , rather than 8:00 a.m. to 8:00 p.m. , since he felt the hours of operation were not long enough .

**Chairman Fairbanks** asked Community Development Director Mike Coulam for his opinion on this issue.

**Community Development Director Mike Coulam** stated that his Department has only received two requests over the past ten year period for skateboard ramps in neighborhoods. Mr. Coulam indicated that he would prefer to leave the new ordinance in place. He noted that amendments can be made to the ordinance if any concerns are raised.

**City Attorney Wally Miller** indicated that the activity on sports courts takes place at ground level, whereas, half-pipe activity takes place six feet above ground level. He felt that the Council should be careful in equating the two sports since they are two separate types of activities.

**Scott Cowdell** indicated that he was not in favor of re-opening the hearing. Residents have already expressed their concerns over the noise associated with skateboard ramps. He thought a fair compromise had already been reached with the residents on the hours of operation. If the hearing is re-opened, he felt that another public hearing should be scheduled in order to allow more public input on the hours of operation.

**Steve Fairbanks** indicated that he would not be in favor of making amendments to the ordinance at this time. He agreed with Mr. Coulam's remarks that the City should wait to see if any further concerns are raised.

**Phil Glenn** informed the Council, based on State Statute, and the Council's own rules of procedure, that the Council needed to decide, by motion, if they would like to reconsider this issue, otherwise, this issue would need to go through the entire public hearing process over again.

**Linda Saville** asked if there was a way in which the Council could table this discussion for a few weeks.

**Phil Glenn** stated that since the Council has already adopted the ordinance, a majority vote from the Council is necessary to re-consider the ordinance. He stated that this would need to take place this evening or no later than next week in order to comply with State Statute.

**#2MOTION:** **Chris McCandless** made the motion to reconsider Ordinance #06-03 - Half-Pipes in Residential Districts, and to specifically discuss the hours of operation for half-pipes and skateboard ramps.

**SECOND:** **Dennis Tenney**

**VOTE:** **McCandless - Yes, Tenney- Yes, Smith- Yes, Saville - Yes, Anderson- Yes, Cowdell- No, Fairbanks- Yes,**

**MOTION PASSED**  
**6 in favor - 1 opposed**

**Clarification on the Motion:**

**Phil Glenn** suggested that a separate motion be taken to table this item to a date and time certain.

**Mr. McCandless** asked Mr. Glenn if the motion could include that this issue be discussed this evening.

**Mr. Glenn** stated "yes".

**#3 MOTION:** **Chris McCandless** made the motion to amend the hours of operation for half-pipes, that the hours be changed to 8:00 a.m. to 10:00 p.m. making this more compatible with other recreational uses during evening hours.

**Question on the Motion:**

**Mr. Glenn** reminded the Council of the great out-cry that came from nearby residents when the hours of operation and height of the half-pipes were addressed. He believed, based on the prior public hearing, that increasing the hours of operation from 8:00 p.m. to 10:00 p.m. could upset many of the residents who were involved in the process.

**Dennis Tenney** asked Mr. McCandless if he would be willing to change the time from 10:00 p.m. to 9:30 p.m.

**Mr. McCandless** indicated that he would be willing to support Mr. Tenney's recommendation.

**Scott Cowdell** stated that he felt changing the wording in the ordinance at this time without a public hearing would not be right.

**Dennis Tenney** indicated that he did not believe adding an additional hour to the ordinance, especially during daylight saving time, would be unreasonable. He stated that the ordinance can always be amended if a problem should arise.

**Wally Miller** felt that if half-pipes are going to be allowed for use during evening hours, then perhaps the lighting limitations should also be changed.

**Chris McCandless** felt that Mr. Tenney's suggestion was valid in extending the hours of operation during daylight savings time since skateboard ramps and half-pipes are summertime uses. Mr. McCandless asked that the hours during the winter months [Mountain Standard Time] remain as written in the ordinance [8:00 a.m. to 8:00 p.m.], and that the hours be extended one hour, from 8:00 a.m. to 9:00 p.m. during Daylight Savings time.

**Amendment to Motion #3:**

**MOTION:** **Dennis Tenney** made the motion that the hours of operation for half-pipes be restricted to 8:00 a.m. to 8:00 p.m. during Mountain Standard Time hours, and

extended from 8:00 a.m. to 9:00 p.m. during Daylight Savings Time.

**SECOND:** **Bryant Anderson**

**VOTE:** **Tenney - Yes, Anderson- Yes Smith- Yes, McCandless - Yes, Saville- Yes, Cowdell-No, Fairbanks- Yes.**

**Motion Approved**

**6 in favor - 1 opposed**

7. **Interlocal Licence Agreement: West Jordan City/Sandy City Prosecutor Assistant Computer Software**

**Resolution #06-1 C** - authorizing the execution of an Interlocal Cooperation Licence Agreement between West Jordan City and Sandy City to use Prosecutor Assistant Computer Software.

**MOTION:** **Dennis Tenney** made the motion to adopt Resolution #06-01 C, authorizing the execution of an Interlocal Cooperation Licence Agreement between West Jordan City and Sandy City to use Prosecutor Assistant Computer Software.

**SECOND:** **Bryant Anderson**

**VOTE:** **Tenney- Yes, Anderson - Yes, Smith - Yes, McCandless - Yes, Saville- Yes, Cowdell- Yes, Fairbanks- Yes.**

**MOTION PASSED**

**7 in favor**

8. **Increasing Total Appropriations within the Debt Service Funds [\$3,703,063]**

**Resolution #06-02 C** - increasing total appropriations within the Debt Service Fund.

**MOTION:** **Dennis Tenney** made the motion to adopt Resolution #06-02 C, increasing total appropriations within the Debt Service Fund.

**SECOND:** **Linda Saville**

**VOTE:** **Tenney- Yes, Saville - Yes, Smith- Yes, McCandless- Yes, Anderson- Yes, Cowdell- Yes, Fairbanks- Yes.**

**MOTION PASSED**

**7 in favor**

9. **Increasing Total Appropriations within the General Trust Fund [\$240,789]**

**Resolution #06-03 C** - increasing total appropriations within the General Trust Fund.

**MOTION:** **Bryant Anderson** made the motion to adopt Resolution #06-03 C, increasing total appropriations within the General Trust Fund.

**SECOND:** **Dennis Tenney**

**VOTE:** **Anderson- Yes, Tenney - Yes, Cowdell- Yes, Saville - Yes, McCandless - Yes, Smith- Yes, Fairbanks- Yes.**

**MOTION PASSED**

**7 in favor**

10. **Increasing Total Appropriations within the Fleet Management Fund [\$150,000]**

**Resolution #06-04 C** - Increasing total appropriations within the Fleet Management Fund.

**MOTION:** **Scott Cowdell** made the motion to adopt Resolution #06-04 C, increasing total appropriations within the Fleet Management Fund.

**SECOND:** **Dennis Tenney**

**VOTE:** **Cowdell - Yes, Tenney- Yes, Saville - Yes, Smith- Yes, Anderson - Yes,**

**McCandless- Yes, Fairbanks- Yes.**

**MOTION PASSED**  
**7 in favor**

11. **Increasing Total Appropriations within the Capital Projects Fund [\$250,000]**  
**Resolution #06-05 C** - increasing total appropriations within the Capital Projects Fund.

**MOTION:** **Scott Cowdell** made the motion to adopt Resolution #06-05 C, increasing total appropriations within the Capital Projects Fund.

**SECOND:** **Bryant Anderson**

**VOTE:** **Cowdell - Yes, Anderson - Yes, McCandless - Yes, Smith - Yes, Saville- Yes, Tenney- Yes, Fairbanks- Yes.**

**MOTION PASSED**  
**7 in favor**

12. **Amending the Sandy City Fee Schedule for Fiscal Year 2005-06**  
**Resolution #06-06 C** - amending the Sandy City Fee Schedule for Fiscal Year 2005-06.

**MOTION:** **Linda Saville** made the motion to adopt Resolution #06-06 C, amending the Sandy City Fee Schedule for Fiscal Year 2005-06.

**SECOND:** **Dennis Tenney**

**VOTE:** **Saville- Yes, Tenney- Yes, Cowdell- Yes, Anderson - Yes, Smith- Yes, McCandless- Yes, Fairbanks- Yes.**

**MOTION PASSED**  
**7 in favor**

13. **Amending the Staffing & Compensation Plan for Fiscal Year 2005-06**  
**Resolution #06-07 C** - amending the Staffing & Compensation Plan for Fiscal Year 2005-06.

**MOTION:** **Scott Cowdell** made the motion to adopt Resolution #06-07 C, amending the Staffing & Compensation Plan for Fiscal Year 2005-06.

**SECOND:** **Dennis Tenney**

**VOTE:** **Cowdell - Yes, Tenney- Yes, Smith- Yes, McCandless- Yes, Saville- Yes, Anderson- Yes, Fairbanks- Yes.**

**MOTION PASSED**  
**7 in favor**

14. **Increasing Total Appropriations within the Golf Fund [\$82,850]**  
**Resolution #06-08 C** - increasing total appropriations within the Golf Fund.

**MOTION:** **Bryant Anderson** made the motion to adopt Resolution #06-08 C, increasing total appropriations within the Golf Fund.

**SECOND:** **Scott Cowdell**

**VOTE:** **Anderson - Yes, Cowdell- Yes, McCandless- Yes, Smith - Yes, Tenney- Yes, Saville- Yes, Fairbanks- Yes.**

**MOTION PASSED**  
**7 in favor**

15. **Transferring Funds within the General Fund [\$30,000]**

**Resolution #06-09 C** - transferring funds within the General Fund.

**MOTION:** **Scott Cowdell** made the motion to adopt Resolution #06-09 C, transferring funds within the General Fund.

**SECOND:** **Linda Saville**

**VOTE:** **Cowdell - Yes, Saville - Yes Anderson- Yes, McCandless - Yes, Tenney- Yes, Smith- Yes, Fairbanks- Yes.**

**MOTION PASSED**  
**7 in favor**

16. **Increasing Total Appropriations within the Capital Projects Fund [\$230,000]**  
**Resolution #06-10 C** - increasing total appropriations within the Capital Projects Fund.

**MOTION:** **Steve Smith** made the motion to adopt Resolution #06-10 C, increasing total appropriations within the Capital Projects Fund.

**SECOND:** **Dennis Tenney**

**VOTE:** **Smith - Yes, Tenney- Yes, Saville - Yes, McCandless - Yes, Cowdell- Yes, Anderson- Yes, Fairbanks- Yes.**

**MOTION PASSED**  
**7 in favor**

**MINUTES:**

17. Approving the **January 3, 2006** City Council Meeting Minutes.

**MOTION:** **Chris McCandless** made the motion to approve the January 3, 2006 City Council Meeting Minutes as written.

**SECOND:** **Linda Saville**

**VOTE:** **The Council voted verbally and unanimously in the affirmative.**

18. **MAYOR'S REPORT:**

- a. **Mayor Dolan** reported that preparations are underway for the 2006 Legislative Session. He reported that the City is interested in a number of bills before the Legislature this year, and that the Administration would keep the Council apprized on the outcome of these bills.

19. **CAO'S REPORT:**

- a. **Byron Jorgenson** reported that Greg Rutledge, from Utah Power and Light, had suffered a serious heart attack. Jean Kreasy from Utah Power and Light has been assigned to work with the City on various issues. The Administration met with Ms. Kreasy to discuss moving the substation and the franchise agreement related to the Pepperwood Power line.

20. **COUNCIL OFFICE DIRECTOR'S REPORT:**

- a. **Mr. Glenn** distributed a copy of the monthly calendar to each of the Council members, reminding them of the Local Officials Day with the Legislature, Wednesday, January 18, 2006, at 12:00 noon. All of the Council have been registered except Mr. Tenney and Mr. Cowdell who have indicated they are unable to attend. **Chris McCandless** indicated that he may not be able to attend, and would advise the Council Office of his final decision.
- b. **Mr. Glenn** asked each of the Council members to meet with him following the Council Meeting to discuss registration for the March National League of Cities Conference in Washington D.C.
- c. **Mr. Glenn** presented a copy of the Council's "Issues of Interest" for their review. He informed

the Council that these issues would be reviewed in more detail at the upcoming budget retreat.

- d. **Mr. Glenn** asked the Council to meet with him following Council Meeting to make a determination on what proof they would like to use for their group portraits.

21. **OTHER COUNCIL BUSINESS:**

- a. **Scott Cowdell** requested that a discussion be held during the budget process to determine if changes can be made to the City's current benefit package that would allow expanded coverage for individuals who are dependant on the head of the household for care.
- b. **Linda Saville** asked for an update on a serious car accident that occurred last Friday evening at approximately 8600 South and 975 East.

**Byron Jorgenson** reported that even though five individuals were seriously injured in the recent accident, they are all expected to make a full recovery. He noted that the cause of the accident was attributed to excessive speed.

**At approximately 8:00 p.m., Scott Cowdell made a motion to adjourn Council Meeting, motion seconded by Bryant Anderson.**

**The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.**

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**Steve Fairbanks**  
**Council Chairman**

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**Pam Lehman**  
**Council Office Executive Secretary**